UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,868	03/30/2004	Leslie Spring	450103-04598.1	5565

20999	7590	05/02/2005		EXAMINER

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ART UNIT	PAPER NUMBER
2164	

DATE MAILED: 05/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/813,868	SPRING ET AL.
	Examiner	Art Unit	
	Mellissa M. Chojnacki	2164	.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-52* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-52* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	5) ☐ Notice of Informal Patent Application (PTO-152)
Paper No(s)/Mail Date <u>Sptemeber 27, 200</u>.	6) ☐ Other: _____.

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities:

In "Cross Reference to Related Applications" section of the application, applicant

is requested to supply the missing data "The application is related to co-pending United

States Patent Application serial No.- -, entitled 'Content Management for Rich Media

Publishing System'", filed March 30, 2004".

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public
> use or on sale in this country, more than one year prior to the date of application for patent in the United
> States.

3.   Claims 1-12, 15-25, 28-45, and 47-52 are rejected under 35 U.S.C. 102(b) as

being anticipated by Fenton et al. (U.S. Patent Application Publication No. US

2002/194195).

As to claim 1, Fenton et al. teaches a media publishing system, comprising:

a network interface to connect the media publishing system to a user (See

paragraph 0056);

a plurality of web services to enable the user to build, publish, and access a

media project using templates of media items grouped into categories (See abstract;

paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset packs";

paragraph 0124-0125); and

a data storage to provide a file system to the plurality of web services, where the file system allows the user to access media items (See paragraph 0066; paragraph 0089).

As to claim 2, <u>Fenton et al.</u> teaches a plurality of network servers linked together in a local network to provide an application programming environment for the plurality of web services (See abstract; paragraph 0010; paragraph 0041).

As to claim 3, <u>Fenton et al.</u> teaches wherein the application programming environment includes an RMP platform (See abstract; paragraph 0040-0041; paragraph 0045; paragraph 0054; paragraph 0066; paragraph 0086; paragraph 0089; paragraph 0117; paragraph 0149).

As to claim 4, <u>Fenton et al.</u> teaches wherein the RMP platform includes a member publishing service, a repository, a repository filters, and an administrative service (See abstract; paragraph 0040-0041; paragraph 0045; paragraph 0054; paragraph 0066; paragraph 0086; paragraph 0089; paragraph 0117; paragraph 0149).

As to claim 5, <u>Fenton et al.</u> teaches wherein the application programming environment includes a create-once-render-everywhere (CORE) platform (See paragraph 0050; paragraph 0075; paragraph 0078; paragraph 0082-0087; paragraph 151)

As to claim 6, <u>Fenton et al.</u> teaches wherein the CORE platform includes a rendering service, a user interface management service, a publishing service, and a content management service (See paragraph 0050; paragraph 0056; paragraph 0075; paragraph 0078; paragraph 0082-0087; paragraph 151)

As to claim 7, <u>Fenton et al.</u> teaches wherein the application programming environment includes a content distribution platform (See abstract; paragraph 0003; paragraph 009-016).

As to claim 8, <u>Fenton et al.</u> teaches wherein the content distribution platform includes an identity service and a commerce service (See paragraph 0045; paragraph 0054; paragraph 0086).

As to claim 9, <u>Fenton et al.</u> teaches a producer system including at least one development application to build and support the plurality of web services, the producer system running on the application programming environment (See abstract; paragraph 0017; paragraph 0054).

As to claim 10, <u>Fenton et al.</u> teaches a client system to enable the user to access the plurality of web services, the client system including at least one user interface application (See abstract; paragraph 0003; paragraph 009-016; paragraph 0056).

As to claims 11 and 24, <u>Fenton et al.</u> teaches wherein the at least one user interface application includes a web browser (See paragraph 0017).

As to claims 12 and 25, <u>Fenton et al.</u> teaches a local storage to store some of the media items to be used to build the media project (See paragraph 0066; paragraph 0089).

As to claim 15, <u>Fenton et al.</u> teaches wherein the network interface connects to a wide-area network (See paragraph 0041; paragraph 0053; paragraph 0056; paragraph 0148).

As to claim 16, <u>Fenton et al.</u> teaches a support system including at least one support application to support at least one of the plurality of web services (See paragraph 0041; paragraph 0054).

As to claim 17, <u>Fenton et al.</u> teaches wherein the at least one support application includes a maintenance application and a customer service application (See paragraph 0041; paragraph 0054).

As to claim 18, <u>Fenton et al.</u> teaches wherein the media items include

background image, background video, background music, animations, slide shows,

sounds, and controls (See paragraph 0039; paragraph 0124-0125).

As to claim 19, <u>Fenton et al.</u> teaches wherein the plurality of web services

includes a markup language code for the media project, the code including links to

media items stored in the data storage (See paragraph 0054; paragraph 0066).

As to claim 20, <u>Fenton et al.</u> teaches wherein the template of media items

includes settable features, which controls an aspect of presenting the media project

(See paragraph 0118; paragraph 0121; paragraph 0124-0125).

As to claim 21, <u>Fenton et al.</u> teaches wherein the aspect includes background

color or font characteristics (See paragraph 0121; paragraph 0124-0125).

As to claim 22, <u>Fenton et al.</u> teaches wherein the settable features for templates

in a same category are configured to be same (See paragraph 0124-0125).

As to claim 23, <u>Fenton et al.</u> teaches a client system for accessing and utilizing a

media publishing system (See abstract), comprising:

a network interface to connect a user to the media publishing system (See

paragraph 0056); and

at least one user interface application to enable the user to build, publish, and

access a media project using templates of media items grouped into categories (See

abstract; paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset

packs"; paragraph 0124-0125).

As to claim 28, <u>Fenton et al.</u> teaches a code publishing service to download a

project code to execute the media project from the client system (See paragraph 0117;

paragraph 0149; paragraph 0151).

As to claim 29, <u>Fenton et al.</u> teaches a method of building, publishing, and

accessing a media project (See abstract), comprising:

selecting a category of the media project (See abstract; paragraph 0003;

0125paragraph 0040; paragraph 0049; paragraph 0050-0051, where "categories" is

read on "asset packs"; paragraph 0124-0125);

selecting a first template of media items from the category, the first template of

media items including a plurality of media slots, each media slot capable of receiving

media items in a particular arrangement (See paragraph 0128-0134); and

selecting and arranging the media items in the each media slot (See paragraph

0128-0134).

As to claims 30 and 49, <u>Fenton et al.</u> teaches selecting publication parameters (See abstract; paragraph 0045-0046; paragraph 0054); and storing the media project (See paragraph 0066; paragraph 0089).

As to claim 31, <u>Fenton et al.</u> teaches wherein the publication parameters include a media project name (See paragraph 0089, where "project name" is read on "title"; paragraph 0111; paragraph 0121).

As to claim 32, <u>Fenton et al.</u> teaches wherein the publication parameters include a publication level, which indicates a range of users that will have access to the media project (See abstract; paragraph 0045-0046; paragraph 0054).

As to claim 33, <u>Fenton et al.</u> teaches wherein the publication parameters include a security level, which restricts access within the publication level (See abstract; paragraph 0045-0046; paragraph 0054).

As to claim 34, <u>Fenton et al.</u> teaches wherein the publication parameters include a method of announcement of the stored media project (See paragraph 0111; paragraph 0121).

As to claim 35, <u>Fenton et al.</u> teaches downloading a project code to execute the media project (See paragraph 0117; paragraph 0149; paragraph 0151).

As to claim 36, <u>Fenton et al.</u> teaches wherein the project code includes layout information and features of the media project stored as requests in the project code, such that changes made to templates for one media project are reflected in other media projects (See paragraph 0128-0134).

As to claim 37, <u>Fenton et al.</u> teaches wherein selecting and arranging the media items in the each media slot includes importing media items transparently to a user (See paragraph 0128-0134).

As to claim 38, <u>Fenton et al.</u> teaches wherein selecting and arranging the media items in the each media slot includes selecting the media items from a list, wherein the list includes media items distributed among multiple physical locations (See paragraph 0129-0134).

As to claim 39, <u>Fenton et al.</u> teaches wherein selecting a first template of media items includes changing the first template to a second template of media items within the same category while maintaining all the media items in the first template (See paragraph 0129-0134).

As to claim 40, <u>Fenton et al.</u> teaches wherein the each media slot includes a genre and a target format (See paragraph 0129-0134).

As to claim 41, Fenton et al. teaches wherein the genre indicates a type of media

item that can be assigned to the each media slot (See paragraph 0129-0134).

As to claim 42, Fenton et al. teaches wherein the genre is image, video, audio, or

animation (See paragraph 0039; paragraph 0124-0125).

As to claim 43, Fenton et al. teaches wherein the target format indicates a format

in which the template causes the media item to be requested when the media item for

the each media slot is to be presented (See paragraph 0114; paragraph 0119;

paragraph 0124; paragraph 0141).

As to claim 44, Fenton et al. teaches wherein the target format is a JPG, GIF,

bitmap, or other related format (See paragraph 0114; paragraph 0119; paragraph 0124;

paragraph 0141).

As to claim 45, Fenton et al. teaches wherein selecting and arranging the media

items includes selecting a specific format of each media item, wherein the specific

format can be different than the target format specified for the media slot of the each

media item (See paragraph 0114; paragraph 0119; paragraph 0124; paragraph 0141).

As to claim 47, <u>Fenton et al.</u> teaches a method of providing a media publishing service (See abstract), comprising:

connecting the media publishing service to a user; enabling the user to build, publish, and access a media project using templates of media items grouped into categories (See abstract; paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125); and

providing a file system to allow the user to upload, store, and/or access the media items (See abstract; paragraph 0040-0041; paragraph 0045; paragraph 0054; paragraph 0066; paragraph 0086; paragraph 0089; paragraph 0117; paragraph 0149).

As to claim 48, <u>Fenton et al.</u> teaches a computer program, stored in a tangible storage medium, for use in publishing a media project (See abstract), the program comprising executable instructions that cause a computer to:

select a category (See abstract; paragraph 0003; 0125paragraph 0040; paragraph 0049; paragraph 0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125);

select a template of media items from the category, the template of media items including a plurality of media slots, each media slot capable of receiving media items in a particular arrangement (See abstract; paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125); and

select and arranging the media items in the each media slot (See paragraph 0124-0125).

As to claim 50, <u>Fenton et al.</u> teaches a media publishing system (See abstract), comprising:

a means for connecting the media publishing system to a user (See abstract; paragraph 0056);

a means for enabling the user to build, publish, and access a media project using templates of media items grouped into categories (See abstract; paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125); and

a means for providing a file system to the means for enabling, where the file system allows the user to access media items (See paragraph 0089-0090).

As to claim 51, <u>Fenton et al.</u> teaches a client system for accessing and utilizing a media publishing system (See abstract), comprising:

a means for connecting a user to the media publishing system (See abstract; paragraph 0056); and

a means for enabling the user to build, publish, and access a media project using templates of media items grouped into categories (See abstract; paragraph 0003; paragraph 0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125).

As to claim 52, Fenton et al. teaches a media publishing system (See abstract),

comprising:

a means for selecting a category (See abstract; paragraph 0003; 0125paragraph

0040; paragraph 0049; paragraph 0050-0051, where "categories" is read on "asset

packs"; paragraph 0124-0125);

a means for selecting a template of media items from the category, the template

of media items including a plurality of media slots, each media slot capable of receiving

media items in a particular arrangement (See abstract; paragraph 0003; paragraph

0050-0051, where "categories" is read on "asset packs"; paragraph 0124-0125;

paragraph 0128-0134); and

a means for selecting and arranging the media items in the each media slot (See

paragraph 0128-0134).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 13-14, 26-27 and 46 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Fenton et al. (U.S. Patent Application Publication No. US

2002/194195) in view of Masuoka et al. (U.S. Patent Application Publication No. US

2004/0230636).

As to claims 13 and 26, <u>Fenton et al.</u> does not teach a web folder configured as a folder on the web browser.

<u>Masuoka et al.</u> teaches task computing (See abstract), in which he teaches a web folder configured as a folder on the web browser (See paragraph 0609; paragraph 0634; paragraph 0638).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified <u>Fenton et al.</u>, to include a web folder configured as a folder on the web browser.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified <u>Fenton et al.</u>, by the teachings of <u>Masuoka et al.</u> because a web folder configured as a folder on the web browser would allow the user to store the media content items in a user storage area, manage the media content items within the user storage area, share media content items with other users, and configure and manage user showcase pages to display the user's media content items (See <u>Fenton et al.</u>, paragraph 0017).

As to claims 14 and 27, <u>Fenton et al.</u> as modified, teaches an upload control tool to enable uploading of the media items stored in the local storage to the data storage by dragging and dropping the media items directly into the web folder (See <u>Fenton et al.</u>, paragraph 0040-0041).

As to claim 46, <u>Fenton et al.</u> as modified, teaches wherein the category includes albums, journals, scrapbooks, music players, e-cards, and games (See <u>Masuoka et al.,</u> paragraph 022).

Conclusion

6.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of the art with respect to Rich Media Publishing in general:

U.S. Patent Application Publication No. US 2004/0093377 to <u>Lumera et al.</u>, for disclosing Network system for information creation, management and publication of documentation

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mellissa M. Chojnacki whose telephone number is (571) 272-4076. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

April 21, 2005
Mmc   **SAM RIMELL**
                                                          PRIMARY EXAMINER